

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
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2007 AUG -8 P 2:48

JOHN G. PEDICINI,

U.S. DISTRICT COURT  
DISTRICT OF MASS.

Plaintiff,

CIVIL ACTION NO. 04-12395-JLT

-vs-

UNITED STATES OF AMERICA  
ET AL.,

Defendants.

PLAINTIFF'S REVISED PRETRIAL EXHIBIT LIST

Pursuant to Pre-trial Order dated August 7, 2007

Plaintiff, John G. Pedicini, provides the revised exhibit list:

Documents or other exhibits the Plaintiff expects to offer at trial:

| <u>Exhibit #</u> | <u>Item</u>   |
|------------------|---|
| 1.               | Performance Appraisals and Plans for calendar years 2001 To 2005, (Bates-Stamped P-3385, US0170 to US0175, US0077, P-3363 to P-3370, P-3329 to P-3332). |
| 2.               | FNS Handbook 101, also known as FNS Administrative Accounting Handbook 101, (Plaintiff's Deposition Exhibit 77), (Bates-Stamped P-3162 to P-3311).      |
| 3.               | Funds Officer Listing, dated 1/26/1999, (Plaintiff's  |

Deposition Exhibit 10), (Bates-Stamped P-1170 to P-1171).

4. Funds Officer Listing, dated 12/22/2004, (Plaintiff's Deposition Exhibit 12), (Bates-Stamped P-1889).
5. Email chain from Jonathan Lash to Marty Hines, dated 12/15/2004 to 12/16/2004, (Plaintiff's Deposition Exhibit 70), (Bates-Stamped P-1376).
6. Funds Officer Listing, dated 2/17/2005, (Plaintiff's Deposition Exhibit 14), (Bates-Stamped P-1216).
7. Designation as FCO Backup, FNS Computer System Access Request, dated 9/20/2001, (Plaintiff's Deposition Exhibit 84), (Bates-Stamped P-2315 to P-2316).
8. FNS Computer System Access Request, dated 3/12/02, (Plaintiff's Deposition Exhibit 91), (Bates-Stamped P-3142).
9. FNS Computer System Access Request, dated 2/24/04, (Bates-Stamped P-3415).
10. FNS Handbook 701, FNS Information Systems Security Policy Handbook, (Plaintiff's Deposition Exhibit 85), (Bates-Stamped P-2317 to P-2389).
11. FM COOP—Contingency Contact List, FFIS & IPAS/ASAP, dated 7/14/03, with contact names, titles, Telephone numbers, and email addresses, (Plaintiff's Deposition Exhibit 9), (Bates-Stamped P-1365 to P-1368).
12. Memorandum from Rose McClyde, Director—Accounting Division, dated 11/8/2001, to all funds officers requesting new employee/vendor codes in the Foundation Financial Information System (FFIS), (Plaintiff's Deposition Exhibit 69), (Bates-Stamped P-1359 to P-1360).
13. Certification of funds availability by John G. Pedicini, 7/27/2003 to 8/9/2003, (Plaintiff's Deposition Exhibit 48), (Bates-Stamped P-517).
14. Certification by John G. Pedicini, dated 1/21/04, (Bates-Stamped P-1373).
15. Incorrect certification by Douglas MacAllister, dated

3/2/2005, (Plaintiff's Deposition Exhibit 50), (Bates-Stamped P-3362).

16. Incorrect certification by Michael Malone, signed by M. Hines, dated 6/7/2004, (Plaintiff's Deposition Exhibit 40), (Bates-Stamped P-3371).

17. Deposition title pages of Frances Zorn and Robert Canavan, used for purposes of establishing date and time Of depositions on 2/11/2003, (Bates-Stamped P-550 and P-216 respectively).

18. Chronology of IAS notes from Douglas MacAllister, dated 3/10/2003, (Bates-Stamped US0485).

19. Email from Joseph Stanco to Lisa Wilusz, dated 2/19/2003, Regarding IAS Rollout, (Bates-Stamped P-1159 to P-1160).

20. Email from John G. Pedicini to Joseph Stanco, dated 2/27/2003, regarding IAS rollout, (Bates-Stamped P-1158).

21. Email chain from Joseph Stanco to Brenda Komloske, dated 2/27/2003, with attached Users Template, (Bates-Stamped P-1162 to P-1165).

22. Email from Joseph Stanco to John G. Pedicini, dated 3/4/2003, regarding IAS Duties, (Bates-Stamped P-529).

23. Email chain from John G. Pedicini to Jonathan Lash, dated 3/4/2003, (Plaintiff's Deposition Exhibit 60), (Bates-Stamped P-530 to P-532).

24. Formal Complaint of Discrimination by John G. Pedicini, FSA Case # MA-03-001E, dated 4/7/2003, (Bates-Stamped P-1894 to P-1895); Formal Complaint of Discrimination by John G. Pedicini, FSA Case # MA-03-001E, dated 3/25/ 2003, (Bates-Stamped P-288 to P-289).

25. Memorandum from Frances E. Zorn, dated June 16, 2003, "allegedly" delegating performance of certifications to Martin Hines, Joseph Stanco, and Douglas MacAllister (Plaintiff's Deposition Exhibit 7), (Bates-Stamped P-1960).

26. Affidavit of Douglas MacAllister, dated 9/8/2003, for EEO

Investigator Report for ROI, (Bates-Stamped P-477 to P-481).

27. Email from Michael Malone to FM Unit, regarding new location, dated 3/2/2004, (Plaintiff's Deposition Exhibit 32), (Bates-Stamped P-3383).
28. Email dated 6/3/2004 from John G. Pedicini to Douglas MacAllister and Michael Malone, regarding policy on right of certification of funds availability, (Plaintiff's Deposition Exhibit 24), (Bates-Stamped P-1393 to P-1394).
29. Email from Michael Malone to Douglas MacAllister, dated 6/7/2004, regarding certifying issues, (Plaintiff's Deposition Exhibit 39), (Bates-Stamped P-1487).
30. Memorandum from Frances E. Zorn, dated 6/9/2004, "allegedly" delegating performance of certifications to Martin Hines, Michael Malone, and Douglas MacAllister, (Plaintiff's Deposition Exhibit 8), (Bates-Stamped P-1989).
31. Formal Complaint of Discrimination by John G. Pedicini, mailed on 7/15/2004, FSA Case # MA-04-005E, (Bates-Stamped P-2209 to P-2211 and P-2183). Designation of John G. Pedicini, as EEO Representative, by Kathy Tankersley, (Bates-Stamped P-1371).
32. Certificate of Merit to John Pedicini, dated 10/3/2000, Signed by Frances E. Zorn, (Bates-Stamped P-2004). Narrative Statement attachment to Form AD-287, (Bates-Stamped US0225).
33. Memorandum from Michael Malone to John G. Pedicini, regarding inappropriate use of job title, dated 10/22/2004, (Plaintiff's Deposition Exhibit 21), (Bates-Stamped P-1327).
34. Email from John G. Pedicini to Michael Malone, dated 10/25/2004, regarding use of title, "Alternate Funds Officer" memo to Robert Canavan, (Plaintiff's Deposition Exhibit 23), (Bates-Stamped P-1789).
35. Memorandum from Michael Malone to Martin Hines, dated 10/22/2004, regarding Leave-Without-Pay Analysis, (Plaintiff's Deposition Exhibit 20), (Bates-Stamped P-1879).

36. Formal Complaint of Discrimination by John G. Pedicini, FSA Case # MA-05-001E, dated November 15, 2004, (Bates-Stamped P-2185 to P-2186).
37. Revised Allocation Reports prepared by John G. Pedicini FY 2001 to FY 2003, (Bates-Stamped P-2009 to P-2011 and P-3389).
38. Email from Michael Malone to Mary Ellen Cajka, Linda App, and Rich Platt, dated 2/10/2005, regarding names for Local System Administrator—E-travel, (Plaintiff's Deposition Exhibit 86), (Bates-Stamped P-2972).
39. Email from Lisha Dorman to John G. Pedicini et al., dated 2/1/ 2005, regarding Employee Roster File, (Plaintiff's Deposition Exhibit 65), (Bates-Stamped P-3306 to P-3309).
40. Email from Lisha Dorman to John G. Pedicini et al., dated 2/2/2005, regarding E-travel, (Bates-Stamped P-3310).
41. NERO Approval Chain [E-travel] chart, (Plaintiff's Deposition Exhibit 62), (Bates-Stamped P-3303 to P-3305).
42. Email from John G. Pedicini to Lisha Dorman, dated 2/10/2005, regarding approval chains for NERO, with attachment, (Plaintiff's Deposition Exhibit 64), (Bates-Stamped P-3410 to P-3414).
43. Email chain from Michael Malone to John G. Pedicini, regarding Delegation Authority in Etravel, dated 3/15/ 2005, (Plaintiff's Deposition Exhibit 87), (Bates-Stamped P-2973 to P-2974).
44. Email chain from John G. Pedicini to Douglas MacAllister, dated 2/9/2005, regarding Official Title of Approvers, (Plaintiff's Deposition Exhibit 33), (Bates-Stamped P-3381 to P-3382).
45. Affidavit of Lisha Dorman, dated 11/2/2005, (Plaintiff's Deposition Exhibit 82), (Bates-Stamped P-2260 to P-2263).
46. Affidavit of Larry Blim, dated 11/2/2005, (Plaintiff's Deposition Exhibit 93), (Bates-Stamped P-3148 to P-3151).
47. Email chain dated 1/19/2006 from Jada Johnson to Marty Hines and John G. Pedicini with attachment entitled "NERO Final Report", (Bates-Stamped P-3399 to P-3409).

Documents or other exhibits that Plaintiff may offer if the need arises:

48. Affidavit of Douglas MacAllister, dated 1/11/2005, (Plaintiff's Deposition Exhibit 47), (Bates-Stamped US0206 to US0207).
49. Memorandum, dated 1/28/1997, from Gary Maupin to Allowance Holders, regarding Funds Control Officer responsibilities, (Plaintiff's Deposition Exhibit 13), (Bates-Stamped P-1392).
50. USDA OIG AUDIT REPORT: FNS Security Over Information Technology Resources, Report No. 27099-18-Hy, September 2001, (Bates-Stamped P-2268 to P-2314).
51. FNS Handbook 702, FNS INFORMATION SYSTEMS SECURITY STANDARDS AND PROCEDURES HANDBOOK, June 2002, (Bates-Stamped P-2389 to P-2869).
52. Memorandum dated May 28, 2002 from Douglas MacAllister for the record, regarding FPA Certifying Officer, (Plaintiff's Deposition Exhibit 10), (Bates-Stamped US0015).
53. Documents or other exhibits referenced in Defendants' pretrial disclosures; and
54. Any document or exhibit that may be necessary to impeach or rebut Defendants' case-in-chief.

Respectfully submitted,



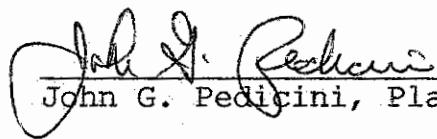
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John G. Pedicini, Plaintiff Pro Se  
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Certificate of Service

I hereby certify that a true copy of the above document was served upon the Defendants by U.S. Government email system, return receipt requested, to Gina Walcott-Torres, Assistant U.S. Attorney, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210 on August 8, 2007



John G. Pedicini, Plaintiff Pro Se

8/8/07  
Date